

Notice of Intent to Make Absolute

N.O.I. # _____
(Assigned by SWCD)

The below identified applicant hereby notices its intent to make absolute an increment of one or more of the conditional water rights decreed in **Case No. 05CW88** consistent with the terms and conditions decreed therein.

Applicant Information:

Name:

Address:

Telephone:

Prospective Water Right Increment Information:

Proposed Use of Water (e.g. domestic, irrigation, commercial):

Proposed Point of Diversion (i.e., Name and Location of Structure as decreed):

Proposed Source (e.g., Mineral Creek, Cement Creek, Animas River):

Proposed Place of Use:

Anticipated Amount of Diversion:

- Rate of Flow (gpm or cfs):
- Total Annual Volume (af):

The Applicant is advised and recognizes that the execution of this Notice of Intent to Make Absolute confers no right, title, or interest in any of the conditional water rights decreed in Case No. 05CW88, nor does it provide applicant with the right to access any particular point of diversion identified in that Decree. Unless otherwise agreed to in advance by the Applicant and San Juan County, Applicant will be responsible for all costs related to perfecting and continuing use of the increment of the conditional water right described above including, but not limited to, the associated water court proceeding and obtaining the right to access the point of diversion.

In the event a decree is entered that confirms the noticed increment of conditional water right has been made absolute, the Southwestern Water Conservation District (SWCD) will transfer such increment to San Juan County (County). The County will then make the transferred water right available to the individual or entity that perfected such increment by lease, deed or otherwise for so long as that specific use continues and for a fee that shall not exceed \$100 per year.

Signed for the Applicant, (Title)

Date

Printed Name

SWCD hereby authorizes Applicant, for up to one year following the mailing of this approved Notice, to file an application to make the conditional water right absolute pursuant to the terms and conditions in Case No. 05CW88. SWCD reserves the right to file an opposition to such claim if deemed necessary.

Southwestern Water Conservation District

Date